



9-7-04

AF 11617
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nair et al.

Confirmation No.: 5840

Serial No. 09/463,082

Group: 1617

Filed: July 10, 2000

Examiner: Wells, Lauren Q.

For: METHOD FOR DETECTION
OF FIBRIN CLOTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

Hon. Commissioner for Patents, PO Box 1450,
Alexandria VA 22313-1450 EV 539 737 152 US

3 Sept 03 Kay Speaker
Date Kay Speaker

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

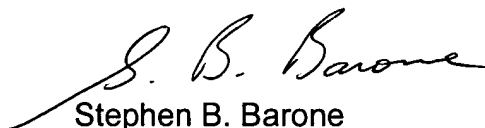
On August 5, 2004, Examiner Wells and Supervisor Examiner Padmanabham participated in a telephone interview with Stephen B. Barone, representative for the Applicants. Examiners Wells and Padmanabham are sincerely thanked for providing this opportunity to discuss the pending Office Action in this application.

Pending rejections of the Office Action of April 20, 2004 were discussed. Arguments were presented against the pending rejections under 35 U.S.C. § 103. The scope of the disclosure in International Application WO 93/15768 (Watson *et al.*) was discussed. Applicants argued that Watson *et al.* did not disclose, enable or suggest the binding interaction of fibrin with graphitic carbon particles. Further, Applicants argued that the step of binding graphitic particles having a detectable marker to fibrin is unobvious in light of the prior art of record.

In addition, proposed amendments to the claims for the purpose of expediting prosecution were discussed. Specifically, Applicants inquired into the patentability of claims reciting the step of "binding said outer surface of said graphitic particles to said fibrin." Applicants argued that support for the proposed amendments was in the specification and claims as filed.

Further, a variety of procedural steps of moving this case forward were discussed including filing a response to the pending Office Action, filing a Notice of Appeal and filing a Request for Continued Examination.

Respectfully submitted,

A handwritten signature in cursive script, reading "S. B. Barone".

Stephen B. Barone
Reg. No. 53,968
Customer Number 23713

GREENLEE, WINNER and SULLIVAN, P.C.
5370 Manhattan Circle, Suite 201
Boulder, CO 80303
Phone: (303) 499-8080
Fax: (303) 499-8089
ks: September 3, 2004
Docket 5-00